

Application No. 10/672,412
Response dated January 29, 2008
Reply to Office action of August 9, 2007

ARGUMENTS/REMARKS

Claims 1-9 and 11-21 are pending. Claims 1-3, 9, 11, 12 and 17 have been amended. No new matter has been added. Claim 10 has been cancelled.

Claims 1-3 have been amended to conform the subject matter to that of the elected inventive group. Applicants reserve the right to file divisional applications directed to the deleted subject matter. Additionally, these claims have been amended to correct a typographical error; "phthalyl" has replaced "pthalaninyl".

Claims 9, 11 and 17 have been amended to clarify the dependence from earlier claims. Claim 17 was further amended to add "and a pharmaceutically acceptable carrier or excipient". Support for this amendment can be found on pages 274 and 275 of the present specification.

Claim 12 has been amended to clarify the present invention as claimed by deleting "or use with thrombolysis agents".

Claims 1-10 and 17-21 stand rejected under the judicially create doctrine of obviousness-type double patenting over claims 1-7 of U.S. Patent No. 6,492,408. Applicants have hereby filed a terminal disclaimer, disclaiming term in the application beyond the expiration of U.S. Patent No. 6,492,408. Thus, the Applicants respectfully submit that this rejection is moot and should be withdrawn.

The Applicants respectfully request that the Examiner acknowledge the references submitted in the Information Disclosure Statement filed on September 25, 2003 by initialling the Form 1449 and sending a copy to the Applicants.

Application No. 10/672,412
Response dated January 29, 2008
Reply to Office action of August 9, 2007

Accordingly, Applicants respectfully submit that this application is now in condition for allowance and respectfully request reconsideration. If any points remain at issue which can best be resolved by way of telephonic or personal interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

/Philip I. Datlow/

Philip I. Datlow, Reg. No. 41,482
Attorney for Applicant(s)

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road
P.O. Box 368
Ridgefield, CT 06877
Tel.: (203) 798-4542
Date: January 29, 2008